**By-Laws**

**CUPE Local 5852**

Amended: July 2023

Table of Contents

[Preamble 4](#_Toc141169954)

[Article 1 - Name 4](#_Toc141169955)

[Article 2 - Objectives 4](#_Toc141169956)

[Article 3 - Interpretations and Definitions 5](#_Toc141169957)

[Article 4 - Membership 5](#_Toc141169958)

[Article 5 - Affiliations 6](#_Toc141169959)

[Article 6 - Membership Meetings 6](#_Toc141169960)

[a) Regular Membership Meetings 6](#_Toc141169961)

[b) Special Membership Meetings 6](#_Toc141169962)

[c) Quorum 6](#_Toc141169963)

[d) Membership Meeting Agenda 6](#_Toc141169964)

[e) Time limits and extensions 7](#_Toc141169965)

[Article 7 - Officers 8](#_Toc141169966)

[Article 8 - Executive Committee 8](#_Toc141169967)

[Article 9 - Duties of Officers 9](#_Toc141169968)

[a) President: 9](#_Toc141169969)

[b) Site Vice President: 10](#_Toc141169970)

[c) Recording Secretary: 11](#_Toc141169971)

[d) Secretary Treasurer: 11](#_Toc141169972)

[e) Site Lead-Steward: 13](#_Toc141169973)

[f) Membership Engagement Officer: 14](#_Toc141169974)

[g) Equity Officer: 14](#_Toc141169975)

[h) Health and Safety Officer: 15](#_Toc141169976)

[i) Trustees: 16](#_Toc141169977)

[j) Stewards: 17](#_Toc141169978)

[k) Returning Officer: 17](#_Toc141169979)

[l) Election Officer: 18](#_Toc141169980)

[Article 10: Nominations, Elections and Installation of Officers 18](#_Toc141169981)

[b) Election Day 20](#_Toc141169982)

[c) Installations 20](#_Toc141169983)

[d) By-Election 20](#_Toc141169984)

[Article 11 - FEES, DUES AND ASSESSMENT 21](#_Toc141169985)

[Article 12 - Expenditures 22](#_Toc141169986)

[Article 13 - Honoraria 22](#_Toc141169987)

[Article 14 - Technological Expenses 23](#_Toc141169988)

[Article 15 - Retirement 23](#_Toc141169989)

[Article 16 - Delegates to Conferences, Conventions, Educational, Committees and Meetings 23](#_Toc141169990)

[Article 17 - Committees 24](#_Toc141169991)

[Article 18 – Honorary Membership 26](#_Toc141169992)

[Article 19 – Complaints and Trials 26](#_Toc141169993)

[Article 20 – Rules of Order 26](#_Toc141169994)

[Article 21 - Amendments 27](#_Toc141169995)

[Article 22 – Printing and Distribution of ByLaws 27](#_Toc141169996)

[Appendix A: Equality Statement 27](#_Toc141169997)

[Appendix B: Land Acknowledgement 29](#_Toc141169998)

[Appendix C: Statement of Recognition of the UN International Decade for 30](#_Toc141169999)

[People of African Descent 30](#_Toc141170000)

[Appendix E: Rules of Order 34](#_Toc141170001)

# Preamble

Local 5852 of the Canadian Union of Public Employees (hereinafter, referred to as the Local) has been formed to:

* Improve the social and economic well-being of all of its members;
* Promote equality for all members and to oppose all types of harassment and discrimination;
* Promote the efficiency of public services; and
* Express its belief in the unity of organized labour.

The following bylaws are adopted by the local in accordance with the CUPE National Constitution (Articles 13.3 and B.5.1), to protect the rights of all members, to provide for responsible governance of the Local Union, and to involve as many members of the Local Union as possible through the sharing of duties and responsibilities.

CUPE 5852 respects and applies the CUPE National Equality Statement to all the Local’s activities. The CUPE National Equality Statement can be found in Appendix A to these bylaws.

CUPE 5852 adopts the CUPE National Code of Conduct that would apply to membership meetings and other functions organized by the Local. CUPE Code of Conduct can be found in Appendix D to these bylaws.

# Article 1 - Name

The name of this Local Union shall be Canadian Union of Public Employees, Local 5852. hereinafter, it shall be referred to as “the Local.”

# Article 2 - Objectives

The objectives of the Local are to:

1. Secure the best possible pay, benefits, working conditions, job security, pensions and retiree benefits for its members;
2. Provide an opportunity for its members to influence and shape their future through free democratic trade Unionism;
3. Encourage the settlement by negotiation and mediation of all the disputes between the members and their Employers;
4. Eliminate harassment and discrimination of any sort or on any basis; for the equality of treatment regardless of class, race, colour, nationality, age, sex/gender, language, sexual orientation, place of origin, ancestry, religious beliefs, or mental and physical disability; and the active opposition of discrimination of same wherever it occurs or appears;
5. Establish strong working relationships with the public we serve and the communities in which we work and live; and
6. Support CUPE in reaching all of the objectives set out in Article II of the CUPE National Constitution.

# Article 3 - Interpretations and Definitions

1. Masculine and feminine shall be understood as gender neutral.
2. Numbers of Articles at the end of sections or subsections refer to relevant articles of the CUPE Constitution which should be read in conjunction with these bylaws.

# Article 4 - Membership

* 1. Membership

An individual employed within the jurisdiction of Local 5852 can apply for membership in good standing in the Local by signing an application and paying the initiation fee of $1.

(Article B.8.1)

* 1. Approval of Membership

At the first membership meeting after the application has been submitted, the name(s) of the applicant(s) will be read out and unless a majority of members present at the meeting object, the applicant(s) will be accepted into membership.

 (Article B.8.2)

* 1. Oath of Membership

New members will take this oath:

“I promise to support and comply with the Constitution of this Union, to work to improve the economic and social conditions of other members and other workers, to defend and work to improve the democratic rights and liberties of workers and that I will not purposely or knowingly harm or assist in harming another member of the Union.”

 (Article B.8.4)

* 1. Member Obligations

Members are obligated to abide by the CUPE National Constitution and these bylaws as amended from time to time.

Members will provide the Recording Secretary with their current address, home telephone contact number and where available, an e-mail address. The member will advise the Recording Secretary of any changes to their contact information. This information will be protected and used to communicate with members. Such communication will take the form of mail, e-mail blasts, telephone town halls, Zoom calls or phone Zap.

In the case of a telephone town hall, the telephone number may be shared with a service provider under contract to the Local Union to provide the technical equipment to support such a virtual meeting.

Upon request, the Local Union will share the telephone contact information with CUPE National, CUPE Ontario or the Ontario Council of Hospital Unions (OCHU). The purpose of sharing this telephone contact information with CUPE National or CUPE Ontario or OCHU is so that they can conduct a telephone town hall or send Mass texts to members regarding important matters.

# Article 5 - Affiliations

In order to strengthen the labour movement and work toward common goals and objectives, The Local shall be affiliated to and pay per capita tax to the following organization(s):

* The CUPE Ontario Provincial Division
* The CUPE Ontario Council of Hospital Unions (OCHU).

# Article 6 - Membership Meetings

## Regular Membership Meetings

1. Regular membership meetings of the Local shall be held Monthly from January to June and the months of September, October and November for a total of 9 regular GMMs. The days of the GMMs shall alternate between Tuesdays and Thursdays at 5:00 PM on the first week of the said months, at a location that will be communicated to the members. Notice of each regular membership meeting outlining the date, time and location shall be given to members at least seven (7) days in advance of the meeting. The Local will strive to give fourteen (14) days notice whenever possible.
2. When a statutory holiday or a situation beyond the control of the Local Union arises which causes the cancellation of a regular membership meeting, the Executive Committee shall reschedule the regular membership meeting, and will give members seven days’ notice of the date of the rescheduled regular membership meeting.

## Special Membership Meetings

 Special membership meetings of the Local may be required, and shall be called by the Executive Committee or may be requested in writing by no fewer than **( 19**) members with their agenda item specified. The President shall immediately advise members when a special meeting is called, and ensure that all members receive at least twenty-four (24) hours’ notice of the special meeting and the subject(s) to be discussed. No business shall be transacted at the special meeting other than that for which the meeting is called and notice given.

## Quorum

The minimum number of members required to be in attendance for the transaction of business at any regular or special membership meeting shall be (19) members, with at least five (5) members of the Executive committee.

## Membership Meeting Agenda

The order of business at regular membership meetings is as follows:

1. Call to Order
2. Roll call of officers
3. Acknowledgement of Indigenous Territory
4. Reading of the Equality Statement
5. Recognition of Peoples of African Descent
6. Approval of the Agenda (Opportunity to add agenda items by members)
7. Voting on new members and initiation
8. Acceptance of the minutes
9. Matters arising from the minutes
10. Secretary-Treasurer’s Report
11. Communications
12. Executive Committee Reports
13. Reports of committees and delegates
14. Nominations, elections, or installations
15. Old business
16. New business
17. Good of the Union
18. Adjournment

## Time limits and extensions

1. The Membership meeting shall be subject to a time limit of 2 hours from the moment the meeting is called to order.
2. In the event that there is unfinished business to be addressed and the 2-hour time limit is about to expire, the members may conduct a vote to determine whether the meeting should be extended.
3. The extension, if approved, shall be limited to a maximum of 30 minutes from the time the vote is concluded.
4. The decision to extend the meeting shall require a majority vote of the members present and eligible to vote.
5. The presiding officer or chairperson shall facilitate the vote on the extension and ensure accurate record-keeping of the outcome.
6. If the extension is approved, the meeting shall continue until the expiration of the additional 30 minutes or until all remaining business has been addressed, whichever comes first.
7. Any motions or proposals made during the extended period shall follow the same rules and procedures as those in the original meeting.

# Article 7 - Officers

The Officers of the Local of shall be the President, Three (3) Site Vice-President (One per site), Secretary-Treasurer, Recording Secretary, Three (3) Site Lead-steward (One per site), Membership Engagement Officer, Health & Safety Officers (As per the collective agreement, the JHSC Terms of reference and the Health and Safety Act, Currently 7) , Equity officer, Three (3) Trustees and the Stewards (As per the collective agreement, currently 10).

# Article 8 - Executive Committee

1. The Executive committee shall include President, Secretary-Treasurer, Recording Secretary, Three (3) Site Vice-Presidents, Three (3) Lead-Stewards
2. The Executive Committee shall meet at least eight (8) times per year.

 (Article B.3.14)

1. A majority of the Executive Committee (5 members) constitutes a quorum.
2. The Executive Committee shall hold title to any real estate of the Local Union as trustees for the Local Union. They shall have no right to sell, convey, or encumber any real estate without first giving notice and then submitting the proposal to a membership meeting and having it approved.
3. The Executive Committee shall do the work delegated to it by the Local Union and shall be held responsible for the proper and effective functioning of all committees.
4. The Executive Committee shall have the authority to authorize expenditures of up to $1000 for any item of business discussed at a meeting of the Executive Committee. Expenditures greater than $1000 shall be brought to the membership for approval at a general membership meeting.
5. The President, Treasurer, Designated site Vice President (one out of the 3 site VPs) and the recording secretary shall be the official signing officers of the Local. A signing officer shall not sign their own cheque. All signing officers will have access to a credit card and ability to see all credit cards statements.
6. Should any Executive Committee member fail to answer the roll call for three **consecutive** regular General Membership meetings or three **consecutive** regular Executive committee meetings without having submitted regrets in writing to the recording secretary, their office shall be declared vacant and shall be filled by an election at the following membership meeting.

(Article B.2.5)

# Article 9 - Duties of Officers

All members holding positions within the Local are expected to attend general membership meetings. If unable to attend, members must provide a valid reason in writing to the Recording Secretary prior to the scheduled meeting.

All Officers must give all properties, assets, funds and all records of the Local Union to their successors at the end of their term.

(Article B.3.9)

All signing Officers of the Local shall be bonded through the master bond held by CUPE National. Any Officer who cannot qualify for the bond shall be disqualified from having signing authority. If the president or Secretary Treasurer fail to be bonded, they shall immediately be disqualified from office and the Local shall proceed with another election.

 (Article B.3.5)

## President:

The president shall :

* Be a full-time position and will receive Compensation at the RPN classification (CU-25) rate or original rate if higher. **The book-off will cover a maximum of 37.5 hours per week or 1950 per year. The president will receive all entitlements of vacation, sick-leave and benefits as they would receive with employer if not on President Leave.**
* Enforce the CUPE National Constitution, these Local Union bylaws and the Equality Statement.
* Preside at all membership and Executive Committee meetings and preserve order.
* Decide all points of order and procedure (subject always to appeal to the membership).
* Have a vote on all matters (except appeals against the President’s rulings) and in case of a tie vote in any matter, have the right to cast an additional vote to break the tie.
* Ensure that all Officers perform their assigned duties.
* Fill committee vacancies where elections are not provided for.
* Introduce new members and conduct them through the initiation ceremony.
* Sign cheques and expense vouchers (except their own) and ensure in conjunction with the Secretary Treasurer that the Local Union’s funds are used only as authorized or directed by the CUPE National Constitution, Local Union bylaws, or vote of the membership.
* Be allowed necessary and reasonable funds, to reimburse the President or any Officers for expenses incurred on behalf of the Local Union. Expense claims must be listed on a proper form outlining the expense, the reason for the expense and with supporting receipt(s) attached.
* Have first preference as a delegate to the CUPE National, CUPE Ontario and OCHU Conventions.
* The President will act with integrity and transparency and will communicate with the executive committee regarding all matters of the Local.
* All authorizations, contracts, and other major official documents of the Local should be signed by both the president and another executive committee member.
* Act as spokesperson of the Local
* Be a member of the bargaining committee.

## Site Vice President:

* There shall be one site VP per site location.
* Preserve order and provide information to members when deemed appropriate.

* Be allowed leave of absence without loss of wages to conduct site VP duties as required and approved by the executive committee.

* Oversee all WSIB claims within their site.
* Attend Return to Work meeting at their site.
* May be a standing member on the Joint Health and Safety Committee.
* Fill the Local's Committee vacancies where elections are not provided for.

* Render assistance to any member of the executive as directed by the executive committee.
* Be given preference to be on the bargaining committee,
* Be givenpreference to attend any health and Safety events if they sit on the joint Health and Safety Committee.
* The site Vice Presidents (VPs) shall elect a designated VP to assume the duties of the President during any form of leave.
* The VPs must communicate the name of the elected representative in writing no later than the first executive committee meeting, following the General Membership Meeting (GMM) elections.
* In the event that the site VPs are unable to reach a unanimous decision on the designated representative, the matter will be resolved through a vote by the executive committee.
* Sit on the Labour/Management Committee.
* Preside over membership and Executive Committee meetings in the absence of both the President and designated site Vice-President.

## Recording Secretary:

* Keep full, accurate, and impartial account of the proceedings of all regular or special membership and Executive Committee meetings. These records must also include a copy of the full financial report (Executive committee meetings) and the written financial report (Membership meetings) presented by the Secretary-Treasurer. The record will also include Trustee reports.
* Record all amendments and/or additions in the bylaws, and make certain that these are sent to the National President for approval via the National Rep.
* Answer correspondence and fulfil other administrative duties as directed by the Executive Committee.
* Have all records ready on reasonable notice for the Trustees.
* Be empowered, with the approval of the membership, to employ administrative assistance, to be paid for, out of the Local Union’s funds.
* Attend all committee meetings to record minutes. Make sure all the minutes are stored appropriately.
* Prepare the agenda for each meeting of the Executive Committee, and for each General Membership Meeting.
* Send out all the necessary book-off requests as directed by the executive committee.
* Ensure the hospital billing for book-off is accurate.
* Update the Local's calendar with all the important dates.
* Maintain accurate records of the membership of the Local including the list of members in Good standing.
* Maintain proper records of all important correspondence (including e-mail) of the Local.

## Secretary Treasurer:

The Secretary-Treasurer shall:

* Receive all revenue, initiation fees, dues, and assessments, keeping a record of each member’s payments, and deposit promptly all money with a bank or credit Union.
* Be a signing authority and ensure that the Local Union’s funds are used only as authorized or directed by the CUPE Constitution, Local Union bylaws, or vote of the membership.
* Ensure that per capita tax is paid by direct remittance, or where per capita is not paid by direct remittance, prepare all CUPE National per capita tax forms and remit payment, including $1.00 of each initiation fee on all members admitted, no later than the last day of the following month.
* Upon approval of the draft documents by the Executive Committee, and at the Annual General Meeting present a financial statement for the current fiscal year and a budget for the next fiscal year for adoption by the membership;
* Be responsible for maintaining, organizing, safeguarding and keeping on file all supporting documents, authorizations, invoices and/or expense claims for every disbursement made, receipts for all money sent to CUPE National, as well as records and supporting documents for all income received by the Local Union.
* Record all financial transactions in a manner acceptable to the Executive committee and in accordance with good accounting practices.
* Make a full financial report to meetings of the Local Executive committee.
* Make a written financial report to each regular membership meeting, detailing all income and expenditures for the period.
* Pay no money unless supported by a cheque requisition or expense form or request for payment duly signed by two signing officers of the Local other than the treasurer. No request shall be required for payment of per capita fees to any organization to which the Local Union is affiliated.
* Make all books available for inspection by the Trustees on reasonable notice. Ensure that the books are audited at least once each calendar year and within a reasonable time, respond in writing to any recommendations and concerns raised by the Trustees.
* Provide the Trustees with any information they require to complete the audit, including forms provided by CUPE National.
* Be empowered, with the approval of the membership, to employ necessary administrative assistance to be paid for out of the Local Union’s funds.
* Be allowed two (2) days leave of absence with pay per month to conduct Secretary-Treasurer duties or more if required as determined by the executive committee.

(Articles B.3.4 to B.3.8)

* Complete the CUPE Financial training soon after their election.
* Have preference in attending the CUPE Ontario Secretary treasurer and Trustees Conference.

## Site Lead-Steward:

The site lead Steward shall:

* Call regular monthly meetings of Stewards.
* Act as Chairperson of the Steward’s meetings.
* Ensure that all grievances are properly processed in accordance with the Collective Agreement.
* Submit regular reports to the Membership and correlate problems and recommendations, in writing, to the Executive Committee for consideration of the Bargaining Committee.
* Gather and prepare all information in preparation for mediation and arbitration.
* The site lead stewards will communicate the name of the primary lead steward in writing prior to the first executive committee meeting following the General Membership elections.
* In the event that the site Lead Stewards are unable to reach a unanimous decision on a primary Lead Stewards, the matter will be resolved through a vote by the executive committee.
* The primary lead steward will be responsible for offering assistance and guidance to the lead stewards team, and overseeing the grievance process.
* Attend all Step Two grievance meetings.
* Attend all mediations and arbitrations that they are processing.
* Following the President, will have first preference as a site delegate to any bargaining conference or events related to their portfolio.
* attend Ontario Labour Relations Board hearings.
* Be allowed leave of absence without loss of wages to attend to matters related to grievances, mediation and arbitrations.
* Be a member of the Grievance, Bargaining, Labour Management, and Pay Equity/Job Evaluation Committees.
* Keep records of all meetings attended.

## Membership Engagement Officer:

The membership engagement officer shall:

* Guard the inner door at in person or virtual membership meetings and admit no one but members in good standing or officers and officials of CUPE, except on the order of the executive committee.

* Issue membership cards as necessary and collect initiation fees.
* Make sure there is a quorum on all voting issues.
* Responsible for the maintenance of the Local’s website, and for the compilation and publication of the Local newsletter, and other materials for the purpose of membership engagement.
* Ensure that proper notice is provided to the membership for all meetings and referenda, including strike and ratification votes.
* Co-chair the Social Committee.
* Act as a liaison between membership and the executive of the Local by conveying information from the executive to the membership and vice versa.
* In concert with the site Lead Steward and the Site Vice Presidents, shall mobilize members of all site locations.
* Sit on the equity committee and assist the equity officer with promoting equity issues within the Local.

## Equity Officer:

The Equity Officer shall:

* Self-identify as a member of one or more of the following equity seeking communities: Indigenous Workers, Racialized Workers, LGBTQ2IS+, Women, Young Workers (30 years and under) and/or Workers with Disabilities.
* Bring the perspectives, priorities and concerns of members who self-identify to the Executive committee debates and discussions as required.
* Have given preference as a delegate to equity or Human Rights Conferences.
* Communicate and help implement equity related goals.
* Ensure the work of the Union is performed through an equity lens.
* Assist members in understanding their human rights under the Ontario Human Rights Code,
* Assist with grievances that relate to equity.
* Recommend training on equity issues to the executive Committee.
* Adhere to confidentiality standards.

## Health and Safety Officer:

The Local will elect as many health and safety officers as per the number of sites and JHS Committees. This number currently varies between 8 if no VP chooses to be on a JHSC and 5 if all VPs choose to exercise their preference to be on a JHSC.

The Health and Safety Officer shall:

* Be a member of the JHSC
* Get certified on Health and Safety soon after the election. The certification will be paid for by either the Local or the Employer.
* Perform their duties as per the OHSA
* Be a health and safety resource to all CUPE members.

* Identify situations that may be a source of danger or hazards to the workers and report it to the JHSC.
* Make recommendations to the Employer and the workers for the improvement of the health and safety of the workers.
* Attend meetings as requested by the executive committee.
* Inspect the physical condition of the workplace at least monthly and provide a written report with recommendations on reducing/eliminating the hazards identified to the Employer and the executive committee.
* Investigate all critical injuries and/or deaths and provide a report to the Ministry of Labour within 48 hours.
* Initiate a work stoppage when legal conditions are met;
* Attend and participate in Joint Health and Safety Committee meetings at least every other month or according to the JHSC Terms of Reference also additional meetings as determined by the JHSC.
* Keep all information acquired through the OHSA confidential (personal medical information, trade secrets, organizational information etc.)
* shall be given preference to serve as a delegate to the Injured Workers Conference and any Health and Safety Conferences.

## Trustees:

Any member in good standing of the Local at the time of election may be elected to the office of Trustee, so long as the member does not hold any officer position in the Local.

The Trustee shall:

* Act as an auditing committee on behalf of the members and audit the books and accounts of the Secretary-Treasurer, the Recording Secretary, and the Local’s Committees at least once every calendar year.
* Make a written report of their findings to the first membership meeting following the completion of each audit.
* Submit in writing to the President and Secretary-Treasurer any recommendations and/or concerns they feel should be reviewed in order to ensure that the Local Union’s funds, records, and accounts are being maintained by the Secretary-Treasurer in an organized, correct, and proper manner.
* Be responsible to ensure that monies have not been paid out without proper constitutional or membership authorization.
* Ensure that proper financial reports have been given to the membership.
* Audit the record of attendance when conducting the trustees audit.
* Inspect at least once a year, any stocks, bonds, securities, office furniture and equipment, and titles or deeds to property that may at any time be owned by the Local Union, and report their findings to the membership.
* Send to the National Secretary-Treasurer, with a copy to the assigned Servicing Representative, the following documents:
	1. Completed Trustee Audit Program
	2. Completed Trustees’ Report
	3. Secretary-Treasurer Report to the Trustees
	4. Recommendations made to the President and Secretary-Treasurer of the Local Union
	5. Secretary-Treasurer’s response to recommendations
	6. Concerns that have not been addressed by the Local Union Executive meeting.
* Complete the CUPE Financial training soon after their election.
* Have preference in attending the CUPE Ontario Secretary treasurer and Trustees Conference.
* The term of office for Trustees shall be three (3) years and staggered so a Trustee position is elected each year. At the first election of officers, three Trustees will be elected to serve terms of one, two and three years. In following years one Trustee will be elected for a three-year term to preserve overlapping terms. No member who has been a signing officer for the Local Union is eligible to run for Trustee, until at least one full term of office has elapsed.

## Stewards:

The stewards shall:

* Define, prepare and present complaints at the initial level.
* Be knowledgeable of the collective agreement, bylaws and CUPE constitution.
* Consult with the site lead steward prior to making any decisions.
* Provide communications and information from the Members in the site to the Executive and from the Executive to the Members, including the distribution of Union materials.
* Encourage the participation of all Members in Union activity.
* Maintain contact with the members to provide ongoing Union awareness and education.
* Participate in CUPE Union Development’s Stewarding Program.

* Investigate all membership complaints within departments when necessary.
* Attend all general membership meetings.
* Perform any other duties as assigned by lead Steward

* Attend all Stewards meeting.
* Attend other meetings at the discretion of the site lead steward and president.

## Returning Officer:

The Returning Officer will oversee and run the Local officers’ elections. They will be responsible for issuing, collecting, and counting ballots. The Returning Officer must be fair and impartial and see that all arrangements are unquestionably democratic.

1. The Returning Officer shall be responsible for overseeing the fair and impartial conduct of the **biennial** Local officers’ elections.
2. The Returning Officer shall be elected as specified in these bylaws.
3. The primary duties of the Returning Officer shall include, but are not limited to, the following:.

a. Coordinating the nomination process, including accepting and verifying nominations in accordance with the bylaws and election guidelines.

c. Organizing and supervising the distribution and collection of ballots, ensuring the integrity and confidentiality of the voting process.

d. Overseeing the counting of ballots in a transparent and impartial manner, ensuring accuracy and maintaining proper records of the results.

e. Addressing any concerns or disputes related to the election process promptly and impartially, in accordance with these bylaws.

f. Certifying and announcing the election results to the membership.

g. Collaborating with the National Representative to ensure compliance with the bylaws and the National Constitution.

h. Providing information and guidance to members regarding the election procedures, eligibility requirements, and deadlines.

## Election Officer:

* The Election Officers shall collaborate closely with the Returning Officer to ensure a fair and impartial election process.
* The Election Officers shall receive directions from the Returning Officer regarding their roles and responsibilities throughout the election period.
* The Election Officers shall actively participate in addressing and resolving any election-related complaints or concerns, working alongside the Returning Officer.
* All Election Officers shall be required to attend the ballot counting session conducted after the closure of the election. Their presence is essential to ensure transparency, accuracy, and integrity in the tabulation of votes.
* In the event of any conflicts of interest or inability to perform their duties, Election Officers shall disclose such circumstances to the Returning Officer and, if necessary, recuse themselves from related activities.
* The Election Officers shall maintain confidentiality and impartiality throughout the election process, upholding the principles of fairness and equality.
* Election Officers shall actively engage in familiarizing themselves with the bylaws, election guidelines, and the CUPE constitution to ensure compliance in carrying out their responsibilities.
* The Election Officers may assist in facilitating voter registration, verifying eligibility, and addressing inquiries or clarifications from members regarding the election procedures.

# Article 10: Nominations, Elections and Installation of Officers

At a regular membership meeting, In person or virtual, at least one month prior to Nominations Day, the membership shall elect a Returning Officer and an Election Committee consisting of 6 members who are neither Officers nor candidates for Office. The election process shall be set up by the Returning Officer in conjunction with the election committee. The Returning Officer will coordinate with the current executive and Election officers to pick an election date after at least (15) and at most (21) days after the nominations meeting. The date of the election will be shared with members within (48) hours after the nominations meeting.

The National Representative assigned to the Local Union would serve as an advisor to the Elections Committee providing technical guidance and advice throughout the Nomination/election/complaint process.

1. **Nominations**

To be eligible for nomination, a nominee must have been accepted into the membership and continue to be a member in good standing. No member will be eligible for nomination if they are in arrears of dues and/or assessments.

(Articles B.8.1, B.8.2, B.8.3)

**~~To be eligible for nomination, a member shall have attended at least fifty (50) percent of the membership meetings with quorum held in the previous twelve months, or in the period they were a member if less than a year. At most one written regret sent may count towards attendance requirement.~~**

Nominations for President - Secretary-Treasurer - Recording Secretary - Site VPS – Site Lead stewards will be received In February of even years.

Nominations for Health and Safety Officers - Equity officer - Membership engagement officer - Trustees - Stewards will be received in April of even years.

Nominees may address the membership for three (3) minutes at the nomination meeting.

Nominees will have 5 days after the nomination meeting to send their election materials to the Local. All election materials will be shared with the membership electronically and through the Local's social media.

To ensure a fair and impartial election process, it is required that all nominees cease campaigning activities by midnight on the day preceding the election day.

Candidates shall have the right to appoint a Scrutineer to be present for the counting of the ballots.

Voting at each site shall be held on the date communicated by the returning officer. Voting times shall be from 7 AM to 7 PM. The ballots will be counted at 8 PM on election day at the Local Union office. The vote will be by secret ballot. There shall be no proxy nor advanced voting.

Steward’s elections will be held separately at the different sites and only members from those sites are able to vote in the corresponding stewards election.

The Local Union shall conduct the election of stewards according to the following guidelines:

a. Three (3) stewards shall be elected at the General location.

b. Three (3) stewards shall be elected at the Centenary location.

c. Three (3) stewards shall be elected at the Birchmount location.

d. One (1) float steward shall be elected from either General or Centenary location.

The specified number of stewards may be subject to change in the event of alterations to the collective agreement. The Local Union shall make efforts during future rounds of bargaining to either increase the number of stewards outlined in the collective agreement or remove any provisions that impose limitations on the number of stewards.

## Election Day

* The candidate receiving the most votes win.
* In the case of a tie between the top two candidates in elections for executive committee positions, a subsequent election shall be scheduled the following month.
* In the case of a tie between the top candidates in elections for non-executive committee positions. An election will be scheduled the following month.
* The results will be shared with the membership the following day.
* When two (2) or more nominees are to be elected to any office by ballot, each member voting will be required to vote for the full number of candidates to be elected or the member’s ballot will be declared spoiled.

 *(Article 11.4)*

* All election complaints by members will be submitted in writing to the Returning Officer as soon as possible but in no circumstances will a complaint be valid, if it is filed later than seven days after the election. The Returning Officer in conjunction with the elections committee will investigate the complaint and issue a ruling as soon as practical and report the ruling to the very next regular membership meeting.
* Any member may request a recount of the votes for any election in writing no later than (48) hours from election results announcements. A recount will be conducted if the request is approved by the returning officer in conjunction with the election officers.

## Installations

All duly elected Officers shall be installed at the meeting following the results announcement and shall continue in office for two years or until a successor has been elected and installed, provided, however, that no term of office shall be longer than three years. (Article B.2.4.)

# By-Election

Should an office fall vacant pursuant to Section (Article 8 h) of these bylaws or for any other reason, the resulting by-election will be held at the following membership meeting. At the recommendation of the Executive committee a vacant position may be filled by appointment if the executive feels it is necessary to ensure the proper functioning of the Local, such appointment cannot be more than 90 (days).

# Article 11 - FEES, DUES AND ASSESSMENT

1. **Fees**
	1. **Initiation Fee**

Payment of initiation fees is a tangible confirmation of the desire to become a member of your Local Union and the Canadian Union of Public Employees. Each application for membership in the Local Union will be directed to the Secretary-Treasurer and will be accompanied by an initiation fee of one ($1) dollar which shall be in addition to monthly dues. The Secretary-Treasurer shall issue a receipt. If the application is rejected, the fee shall be returned.

*(Articles B.4.1 and B.8.2)*

* 1. **Readmission Fee**

The readmission fee shall be $1.00.

*(Article B.4.1)*

1. **Dues**
2. **Monthly Dues**

The dues shall be 1.5% of regular wages.

*(Article B.4.3)*

*Notwithstanding the above provisions, if any affiliation raises minimum fees and/or dues above the level herein established at their convention, these by-laws shall be deemed to have been automatically amended to conform.*

1. **Amending Monthly Dues**

The regular monthly dues may be amended at a regular or special membership meeting. The vote must be by secret ballot. Notice of at least seven (7) days at a previous meeting or sixty (60) days in writing must be given.

(Article B.4.3)

1. **Assessments**

Assessments may be levied in accordance with the CUPE Constitution. Assessments do not mean or include regular monthly dues and are applied for a specific purpose or specific length of time. Membership approval is required, and the assessment will only be applied after the National President approves the assessment.

1. **Non-Payment of Dues and Assessments**

Any Member in arrears for a period of three (3) months or more shall be automatically suspended and his/her suspension shall be reported to the Executive Board by the Secretary-Treasurer. The Executive Board shall report to the next Membership meeting with a recommendation. Any Member under suspension wishing to be reinstated shall, upon application, pay the re-admittance fee, plus any dues and assessments in arrears. This money will be returned if the application is rejected. If a Member has been unemployed or unable to work because of sickness, he/she shall pay the re-admittance fee but may not be required to pay his/her arrears.

(Article B.8.6)

# Article 12 - Expenditures

1. **Payment of Local Union Funds**

Funds can only be spent for valid purposes of the Local Union under the following circumstances:

* When the expenditure is authorized by a budget approved by a majority of members present and voting at a regular or special membership meeting;
* When these bylaws approve the expenditure; or
* Through a vote of the majority of members present and voting at a regular or special membership meeting.

(Article B.4.4)

1. **Payment of Local Union Funds to Members or Causes Outside of CUPE**

In the case of a grant or a contribution to a member(s) or a cause(s) outside of CUPE greater than $500, a notice of motion must be made at a regular membership meeting and then approved at the following regular or special membership meeting before the grant or contribution can be paid out. The approval meeting must be no earlier than seven days after the meeting where notice of motion has been given.

No Officer or member of the Local will be allowed to spend any Local Union funds without first having received authorization under (Article 12 a) of these bylaws.

# Article 13 - Honoraria

The following Monthly honoraria shall be paid, without need of supportive vouchers, to elected Officials of the Local as compensation for normal and miscellaneous out-of-pocket expenses.

|  |  |
| --- | --- |
| President |  $380.00 |
| Site Vice-President |  $280.00 |
| Secretary-Treasurer  |  $280.00 |
| Recording Secretary |  $280.00 |
| Site Lead-Steward |  $280.00 |
| Membership Engagement Officer  |  $100.00 |
| Equity Officer |  $100.00 |
| Health and Safety Officer |  $100.00 |
| Stewards | $65.00 payable in June and December |
| Trustees | $150.00 Paid after completion of each audit |

* Every Local official can only receive one honoraria.
* Election committee members and the returning officer should get $90.00 per day for running elections.
* Any member presenting a bill for out-of-pocket expenses, while conducting Union business, shall present in writing an itemized account and receipts of such expenses to the Treasurer of the Local. Their submission of expenses for reimbursement must be reviewed and approved by two signing officers before any reimbursement can be paid.

# Article 14 - Technological Expenses

The Local Union recognizes the importance of effective communication and access to technology for its officers in fulfilling their duties. Therefore, the Local Union shall provide reasonably priced cellphones, along with phone and data plans, to its officers.

The provision of cellphones and phone/data plans shall be subject to the following guidelines:

a. Executive officers, as defined by the bylaws, shall be eligible to receive a cellphone and a corresponding phone/data plan.

b. The selection and procurement of cellphones shall be made in a cost-effective manner, taking into consideration the specific needs and technological requirements of the officers.

# Article 15 - Retirement

Each Long-standing Member (15 years or more) who retires shall receive a gift of two hundred fifty dollars ( $250.00) in value, which will be presented to the retiring Member, or, if not possible, sent to the Member at the time of retirement.

# Article 16 - Delegates to Conferences, Conventions, Educational, Committees and Meetings

The Local may send up to the maximum of the delegates it is entitled to the following events: CUPE Ontario Convention - CUPE National Convention - OCHU convention. Delegates to these conventions should be selected by the executive committee from the Local officers with the understanding that the selection must be relevant to the convention, conference. i.e.; trades person to trade convention, RPNs to RPN conference, ) At least one delegate would be a non executive member if there is expressed interest.

All delegates to conventions, conferences shall have attended at least fifty (50) percent of the membership meetings held in the previous twelve months, or in the period he was a member if less than a year, at most one written regret sent may count towards attendance requirement.

All delegates will provide a written report to be shared at the next GMM.

Delegates to conventions of CUPE National and The Ontario Division of CUPE and OCHU convention shall be empowered to spend up to $2500 for the purpose of support to striking Locals, personal appeals recognized by the convention, and other emergencies recognized by the convention, so long as at least one signing authority of the Local is present at said convention and agrees to the expenditure.

Each delegate should be entitled to have their own room.

All delegates elected or appointed to attend conventions, seminars ~~and/or meetings~~ and who choose to drive their own vehicles shall be paid mileage as per the current Canada Revenue Agency (CRA) rate.

All delegates elected or appointed to attend meetings on their scheduled day off and who choose to drive their own vehicles shall be paid mileage as per the current Canada Revenue Agency (CRA) rate.

All delegates elected or appointed to attend meetings from site to site and who choose to drive their own vehicles shall be paid mileage as per the current Canada Revenue Agency (CRA) rate.

When a member is normally scheduled to work but is booked off on union/hospital business to attend meetings at the Hospital, they will receive milage allowance between sites as per the current Canada Revenue Agency (CRA) rate.

When a member is scheduled to attend union/hospital business on their day off at the Hospital, they will receive mileage allowance from their home to the Hospital as per the current Canada Revenue Agency (CRA) rate.

All delegates elected to Conventions, Seminars and/or meetings held Out-of-Town/Overnight shall be paid a per diem equal to one-hundred-two ($102.00) per day.

All delegates elected to Conventions, Seminars and/or meetings greater than 3 hours including travel time shall be paid a per diem equal to sixty-five ($65.00)

# Article 17 - Committees

* + 1. **Bargaining Committee:**

The Bargaining Committee for Scarborough Health Network shall consist of the President of the Local, the site Vice Presidents and the site Chief Stewards and the recording secretary. The function of the Committee is to sit face to face across from the Employer in negotiations, to prepare collective bargaining proposals and to negotiate a Collective Agreement.

The CUPE representative assigned to the Local shall be a non-voting Member of the Committee and shall be consulted at all stages from formulating proposals, through negotiations, to contract ratification by the membership.

* + 1. **Grievance Committee:**

The Grievance Committee will be comprised of the President, recording secretary and the site lead stewards.

The Grievance Committee will meet on an Ad-Hoc basis to determine whether a grievance (which has not been settled through the grievance procedures set out in the collective) will be referred to mediation and/or arbitration based on a report from the CUPE National Representative or a legal opinion and in compliance with the Ontario Labour Relations Act duty of fair representation and the provisions of the CUPE Constitution and the By-Laws. The President is permitted to refer a grievance to mediation and/or arbitration for the purpose of complying with applicable time limits in the collective agreement. If the Grievance Committee determines a grievance will not be referred to arbitration, the affected grievor (s) may ask the Executive Committee to reconsider its decision at the following Membership meeting. The President is permitted to handle the grievance for the purpose of complying with time limits in the event the Executive Committee overturns the determination of the grievance committee and votes to refer the grievance to mediation and/or arbitration.

The function of the Committee shall be to review all new and outstanding grievances; track trends; research case law; prepare and distribute letters to the members; ensure grievance files are complete with fact sheets, liaise with the National Representative; make recommendations for labour management agenda items; and coordinate scheduling of grievances.

 A written Grievance report will be presented at each Executive Committee Meeting and to each General Membership Meeting.

* + 1. **Return to Work Committee:**

The Committee is comprised of the President, and the site Vice Presidents.

It is the function of the Committee to educate and facilitate the return to work (RTW) for occupational and non-occupational injuries and illnesses and assist those members having attendance issues. The Committee shall review all new and outstanding RTW, WSIB and LTD issues and generally assist in the facilitation of the RTW process. The Committee shall maintain accurate records, track trends and make recommendations for the labour-management meetings and shall meet every other month if required.

* + 1. **Bylaw Committee**:

This committee will:

* Review the bylaws every two years and make recommendations to the Executive Committee on proposed amendments.
* Review any proposed amendments received from the Executive Committee or membership of the Local Union to ensure that the amendments will conform to the remainder of the bylaws and the CUPE National Constitution.
* Ensure that the Local Union’s bylaws are written in clear language, ensuring that clear language does not change the intent or meaning of the bylaws. The committee members will be the president, two executive committee members and two members elected by the Membership. The committee shall appoint its secretary from among its members. The National Representative assigned to the Local Union shall be a non-voting member of the committee and shall be consulted during the review process.
1. **Ad Hoc Committee(s):**

A Special ad hoc Committee may be established for a special purpose and period by the membership at a meeting. The members shall be elected at the same or another membership meeting or may, by specific authorization of the membership be appointed by the President or the Executive Committee. Two members of the Executive committee may sit on any special committee as ex-officio members. The Committee will disband upon the completion of the established function.

Each committee shall have an Executive member appointed to act as a liaison between the Ad Hoc Committee and the Executive Committee. There should be a limit of up to five members from the general membership on any Ad-Hoc Committee.

# Article 18 – Honorary Membership

a) A member who has reached retirement age or is unable to work can apply to the Secretary Treasurer of the Union for an Honorary Retiring Card when they leave employment. If a member is in good standing, members of the Local Union will vote on the application at a regular membership meeting. If a majority of members vote in favour of the application, the Secretary Treasurer will send the name and address of the retiring member to the National Secretary Treasurer who will issue the Retiring Card.

b) A member who holds an Honorary Retiring Card is not required to pay dues to the Local Union nor per capita to the National Union. A member who resumes employment after receiving an Honorary Retiring Card will give the card to the Secretary Treasurer of the Local Union and is required to pay dues to the Local Union and per capita tax to the National Union.

c) A member who holds an Honorary Retiring Card can attend and speak at membership meetings of the Local Union but cannot vote. A member who holds an Honorary Retiring Card cannot speak or vote at Convention.

# Article 19 – Complaints and Trials

All charges against members or Officers must be made in writing and dealt with in accordance with the Trial Procedure provisions of the CUPE National Constitution.

 (Articles B.11.1 to B.11.5)

# Article 20 – Rules of Order

All meetings of the Local shall be conducted in accordance with the basic principles of Canadian parliamentary procedure. Some of the more important rules to ensure free and fair debate are appended to these by-laws as Appendix E. These rules shall be considered as an integral part of the by-laws and may be amended only by the same procedure used to amend the by-laws.

In situations not covered by Appendix E, the CUPE Constitution may provide guidance, but, if the situation is not dealt with there, Bourinot's Rules of Order shall be consulted and applied.

# Article 21 - Amendments

1. **CUPE Constitution**

These bylaws are always subordinate to the CUPE Constitution (including Appendix B) as it now exists or may be amended from time to time, and in the event of any conflict between these bylaws and the CUPE Constitution, the latter shall govern. The National President has the sole authority to interpret the CUPE Constitution.

(Articles 9.2(c), 13.3 and B.5.1)

1. **Additional Bylaws**

A Local Union can amend or add to its bylaws only if:

i. the amended or additional bylaws do not conflict with the CUPE Constitution;

ii. the amended or additional bylaws are approved by majority vote at a regular membership meeting or at a special membership meeting called for that purpose; and

iii. notice of the intention to propose the amended or additional bylaws was given at least seven days before at a previous membership meeting or 60 days before in writing.

(Articles 13.3 and B.5.1)

1. **Effective Date of Amended or Additional Bylaws**

The amended or additional bylaws do not come into effect until they have been approved in writing by the National President. The National President will decide whether to approve the amended or additional bylaws within 90 days of receiving them and will withhold approval only where they conflict with the CUPE Constitution.

(Articles 13.3 and B.5.1)

# Article 22 – Printing and Distribution of ByLaws

Members will receive a copy of these bylaws, either in paper format or electronically. Members with special needs may request a copy of the bylaws in larger font.

# Appendix A: Equality Statement

Union solidarity is based on the principle that Union members are equal and deserve mutual respect at all levels. Any behaviour that creates conflict prevents us from working together to strengthen our Union.

As Unionists, mutual respect, cooperation, and understanding are our goals. We should neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual or creates an intimidating, hostile, or offensive environment.

Discriminatory speech or conduct which is racist, sexist, transphobic, or homophobic hurts and thereby divides us. So too does discrimination on the basis of ability, age, class, religion and ethnic origin.

Sometimes discrimination takes the form of harassment. Harassment means using real or perceived power to abuse, devalue, or humiliate. Harassment should not be treated as a joke. The uneasiness and resentment that it creates are not feelings that help us grow as a Union.

Discrimination and harassment focus on characteristics that make us different; and they reduce our capacity to work together on shared concerns such as decent wages, safe working conditions, and justice in the workplace, society, and in our Union.

CUPE’s policies and practices must reflect our commitment to equality. Members, staff, and elected officers must be mindful that all persons deserve dignity, equality, and respect.

# Appendix B: Land Acknowledgement

CUPE Local 5852 wants to acknowledge that it operates on the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. We also acknowledge the territories and lands across Turtle Island, that our members are from.

We are honoured to be here as guests on this land that Indigenous peoples have cared for and continue to care for.

# Appendix C: Statement of Recognition of the UN International Decade for

# People of African Descent

CUPE Ontario recognizes the UN International Decade for People of African Descent.

In 2013, the General Assembly of the United Nations declared January 1, 2015 to December 31, 2024 as the International Decade for People of African Descent. The theme of the Decade is “People of African descent: recognition, justice and development”.

Given the existence of slavery in Canada, from the 16th century to 1834, and ongoing

inequalities and injustices towards people of African descent, CUPE Ontario acknowledges the importance of this decade. This decade is an opportunity to celebrate and recognize the important contributions made by people of African descent to our Union and society and to work towards reparations and justice.

Following consultations, a United Nation’s working group of experts drafted a clear list of recommendations to address structural barriers faced by people of African descent across Canada. These recommendations can guide us in our work as activists.

As a progressive labour Union, we have a responsibility to act. The Anti-Racism Organizational Action Plan (AROAP) is one way that we will continue to do better. As a Union, we can take concrete measures to ensure the full inclusion of people of African Descent. We can work to combat anti-Black racism, racial discrimination, xenophobia and other forms of oppression.

**No one is free until we are all free.**

Appendix D: Code of Conduct

The mandate of our union, the Canadian Union of Public Employees (CUPE), is to organize and defend workers and to promote economic and social justice for our members and for all workers. In carrying out our work, we in CUPE strive to promote our core values which include the principles of solidarity, equality, democracy, integrity and respect. We are committed to mobilizing our energy and skills to work together to promote these values and to attain these goals in our union, our communities, and globally.

CUPE is committed at all levels to creating a union which is inclusive, welcoming, and free from harassment, discrimination, and all types of bullying and intimidation. CUPE needs to ensure that we provide a safe environment for members, staff, and elected officers to carry out our work. CUPE’s expectation is that mutual respect, understanding, and co-operation will be the basis of all our interactions.

This Code of Conduct sets out standards of behaviour for participants at national convention, conferences, schools, meetings, and any other union events organized by CUPE National, Local 5852, or any other CUPE chartered body. It is consistent with the expectations outlined in the Equality Statement and the CUPE National Constitution.

This Code of Conduct is intended to deal with complaints of inappropriate behaviour at events organized by CUPE National and at events, meetings, and activities by other CUPE bodies. It does not apply to complaints arising in the workplace, as those are dealt with through the grievance procedure and/or the applicable workplace harassment policy.

As CUPE members, staff, and elected officers, we commit to one another and to the union to be governed by the principles of the Code of Conduct and agree to:

* Abide by the provisions of the Equality Statement.
* Respect the views of others, even when we disagree.
* Recognize and value individual differences.
* Communicate openly.
* Support and encourage each other.
* Make sure that we do not harass or discriminate against each other.
* Commit to not engaging in offensive comment or conduct.
* Make sure that we do not act in ways that are aggressive, bullying, or intimidating.
* Take responsibility for not engaging in inappropriate behaviour due to use of alcohol or other drugs while participating in union activities, including social events.

Harassment is objectionable behaviour which may include actions, language, gestures, and/or written material, and which the harasser knows or ought reasonably to know is abusive and unwelcome. Bullying is a form of harassment which is serious ongoing behaviour which targets an individual or group and which threatens that person or persons’ mental and/or physical well-being.

A complaint regarding the Code of Conduct will be handled as follows:

1. If possible, a member may attempt to deal directly with the person alleged to have engaged in behaviour contrary to the Code by asking them to stop such behaviour. If that is not possible, or if it does not resolve the problem, a member may bring forward a complaint.
2. A complaint shall be brought to the attention of an ombudsperson when there is one available. Should an ombudsperson not be available, a person properly appointed and designated to be in charge shall receive the complaint.
3. The ombudsperson or the person in charge will work to seek a resolution. If this fails to resolve the matter, the ombudsperson shall report the matter to the person in charge. The person in charge has the authority to expel members from the event for serious or persistent offenses.
4. If the complaint involves a national staff member, it shall be referred to the appropriate director for investigation and the complaint shall be dealt with in accordance with the applicable staff collective agreement. If the complaint involves a staff member employed by another CUPE chartered organization, the complaint shall be referred to the person responsible for their employment.
5. If the person in charge is a party to the complaint, an alternate will be designated to assume the role.
6. In a case where a member has been expelled from a National event, the National President shall receive a report on the matter. For other events, the presiding officer shall receive a report on the matter.
7. For events organized by CUPE National, the National President shall determine if further remedial action is appropriate, including restricting a member’s participation in future events organized by CUPE National. For other events, the presiding officer shall consult the National President.

This Code of Conduct is designed to create a safe, respectful, and supportive environment within CUPE. It is meant to enhance the rights and obligations outlined in the CUPE National Constitution, the Equality Statement, and applicable human rights legislation, not replace them.

This Code of Conduct does not replace a member’s right to access the trial provisions under Appendix F of the CUPE National Constitution.

# Appendix E: Rules of Order

1. The President will be the Chairperson at all membership meetings. In the absence of President, the Lead Site Vice-President will be the Chairperson at the membership meeting. In their absence, another Site Vice- President will be the Chairperson at the membership meeting.
2. No member except the Chairperson of a committee making a report or the mover of a resolution shall speak more than three (3) minutes, or more than once on the same question without the consent of the meeting or until all who wish to speak have had an opportunity. Chairpersons and movers of a motion shall be limited to three (3), except with the consent of the meeting.
3. The President shall state every question coming before the Local, and before allowing debate thereon, and again immediately before putting it to a vote shall ask: "Is the Local ready for the question?" Should no member rise to speak, the question shall then be put.
4. A motion to be entertained by the presiding officer must be moved and seconded; both mover and seconder must rise and be recognized by the chair.
5. A motion to amend or to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted. No amendment, or amendment to an amendment which is a direct negative of the resolution shall be in order.
6. On motion, the regular order of business may be suspended by a two-thirds vote of those present to deal with any urgent business.
7. All resolutions and motions other than those named in Rule 17 or those to accept or adopt the report of a Committee shall, if requested by the presiding officer, be presented in writing before being put to the Local.
8. At the request of any member and upon a majority vote of those present, a motion which contains more than one action or issue can be divided.
9. Any member having made a motion can withdraw it with the consent of the seconder, except that any motion once debated cannot be withdrawn except by a majority vote of those present.
10. When a member wishes to speak on a question or to make a motion, he shall rise in his place and respectfully address the presiding officer, but, except to state that he rises to a point of order or on a question of privilege, he shall not proceed further until recognized by the chair.
11. When two or more members rise to speak at the same time, the presiding officer shall decide which one is entitled to the floor.
12. Every member, while speaking, shall adhere to the question under debate and avoid all personal, indecorous or offensive language, as well as any poor reflection on the Local or member thereof.
13. If a member, while speaking, is called to order, he shall cease speaking until the point is determined; if it is decided he is in order, he may again proceed.
14. No religious discussion shall be permitted.
15. The President shall take no part in debate while presiding, but may yield the chair to the Lead SiteVice-President in order to speak on any question before the Local or to introduce a new question.
16. The presiding officer shall have the same rights as other members to vote on any question. In case of a tie, she may in addition give a casting vote; or, if she chooses, refrain from breaking the tie in which case the motion is lost.
17. When a motion is before the Local, no other motion shall be in order except (1) to adjourn; (2) to call the question; (3) to table (4) to postpone for a definite time; (5) to refer; (6) to divide or amend which motions shall have precedence in the order named. The first three of these shall be decided without debate.
18. A motion to call the question, when regularly moved and seconded shall be put in this form: " Do you agree to call the question on this motion” If it is adopted, the President shall proceed to take the vote on the resolution and amendments thereto (if any) according to their priority. If an amendment or an amendment to an amendment is adopted, the original resolution, as amended, shall be put to the Local.
19. A motion to adjourn is in order except (1) when a member has the floor and (2) when members are voting.
20. A motion to adjourn, having been put and lost, shall not be in order again if there is further business before the Local, until fifteen minutes have elapsed.
21. After the presiding officer declares the vote on a question and before the Local proceeds to another order of business, any member may ask for a division. A standing vote shall then be taken and the Secretary shall count same.
22. If any member wishes to challenge (appeal) a decision of the chair he must do so at the time the decision is made. If the challenge is seconded, the member shall be asked to state briefly the basis for his challenge. The chairperson may then state briefly the basis for his decision, following which the chairperson shall immediately and without debate put the question: "Shall the decision of the chair be sustained?" A majority vote shall decide except that in the event of a tie the chair is sustained.
23. After a question has been decided, any two members who have voted in the majority may, at the same or next meeting, move reconsideration thereof.
24. No member shall enter or leave a meeting during the reading of the minutes, the initiation of new members, the installation of officers or the taking of a vote; and no member shall be allowed to leave without the permission of the membership Engagement Officer.
25. The Local's business and proceedings of meetings are not to be divulged to any persons outside the Local or the Canadian Union of Public Employees.

:sn-pc/COPE491